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FROM DIRECTORS OFFICE

DEC 03 2004

TECHNOLOGY CENTER 3600

In re application of	:	DECISION ON PETITION
Paola Valentini	:	TO MAKE SPECIAL
Application No. 10/823,106	:	(ACCELERATED
Filed: April 12, 2004	:	EXAMINATION)
For: TWISTED CLOSED LOOP JEWELRY ARTICLE	:	

This is in response to the petition filed on April 12, 2004, to make the above-identified application special on the basis of special examining procedure for certain new applications - accelerated examination as set forth in MPEP § 708.02, VIII.

The requirements for granting special status under this section are: (A) a petition to make special accompanied by the fee set forth in 37 CFR 1.17(h); (B) all claims being directed to a single invention, or an election without traverse if the Office determines that all the claims are not directed to a single invention; (C) a statement that a pre-examination search was made listing the field of search; (D) one copy of each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record; and (E) a detailed discussion of how the claimed subject matter is patentable over the references in accordance with 37 CFR 1.111 (b) and (c).

The petition fails to adequately meet requirement (B) and (E) above.

Regarding item (B), the petition fails include an election without traverse, or a statement that applicant is willing to elect without traverse should a restriction or election be required.

Regarding item (E), the petition includes a list of nine references, and is followed by a "DISCUSSION OF UNCOVERED PATENTS" by applicant's attorney Barry E. Negrin. Mr. Negrin discusses two of the references in detail and concludes with the statement, "The remaining patents disclose jewelry articles having repeating elements that are identically configured and do not twist, and therefore appear to be less relevant than those mentioned above and need no be discussed in detail." This statement is insufficient to meet the requirement

of a detailed discussion of how the claimed subject matter is patentable over the references in accordance with 37 CFR 1.111 (b) and (c).

For the above stated reason, the petition is **DISMISSED**.

Petitioner is given one more opportunity to perfect the petition. Any request for reconsideration must be filed within TWO MONTHS of the date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted.

Applicant should promptly submit a renewed petition to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. The envelope should indicate that the correspondence be brought to the attention of Technology Center 3600.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.



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KJD/rwg: 11/15/04